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09/619,893	07/19/2000	Fumiyoshi Toyoshima	P/3156-16	2082

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EXAMINER

BRINEY III, WALTER F

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/619,893

Applicant(s)

TOYOSHIMA, FUMIYOSHI

Examiner

Walter F Briney III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2, 6 and 7 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

Claims 1 and 3-5 have been cancelled.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 2, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Launey et al. (US Patent 5,086,385).**

Claim 2 is limited to a multi-functional telephone apparatus. Launey discloses an expandable home automation system, which allows central control over a plurality of home systems including a telephone. See Abstract and column 10, lines 17-24. In particular, Launey depicts in figure 1 at least one touchscreen (16a, 16b) for displaying the menus depicted in figures 3A-3N. Inherently, memory must exist to store the menus and the contents thereof (i.e. *(a) a storage unit*). Upon examination of figures 3A-3N, it can be seen that at least three lists of features corresponding to the claims exist. Figure 3A serves as a main screen, wherein the audio/video selection points to a list of groups organized based on the corresponding hardware, also see figure 3B. The security management, lighting moods, information, and environmental control selections all refer to lists of groups organized based on functional concepts. The system configuration is a general list of system data. Clearly, the touchscreen itself provides for the selection of

one of the lists described above (i.e. *(b) a selection item selection unit configured for selecting one of a plurality of selection items in said storage unit displayed collectively, wherein said system data table, said function-classified system data table, and said hardware-classified system data table serve as selection items*). As an example of a hardware organized selection item consider figure 3C. It depicts VCR controls that are displayed, thus enabling the setting of the data. Therefore, Launey anticipates all limitations of the claim.

Claim 6 is limited to *the multi-functional telephone apparatus as defined in claim 2*, as covered by Launey. Figure 3B depicts the groups associated with the hardware selection item (i.e. *a group displaying unit*). The touchscreen itself provides for selection of system data associated with the hardware groups as can be seen in figures 3B and 3C (i.e. *a system data selection unit*). Figure 3C depicts some of the individual settings that can be set by the touchscreen, wherein user inputs are monitored and recognized by the central processor and by the home devices (i.e. *a system data setting unit*). As the user navigates the touchscreen menu, it is inherent that their inputs be stored in some type of memory within the central processor (i.e. *a system data registration unit configured for registering the system data as set in a system data registration area used as a reference in the operation of an apparatus*). Therefore, Launey anticipates all limitations of the claim.

Claim 7 is limited to *the multi-functional telephone apparatus as defined in claim 6*, as covered by Launey. Launey discloses using the touchscreen to enable the central processor to issue commands to a telephone for the initiation of a telephone call, which

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makes the central processor itself *an apparatus having the function of a telephone set*.

See column 12, lines 20-46. As noted in claim 6, each distributed home device will receive the command issued by the user at the touchscreen, such that any data sent will be set therein (i.e. *wherein said system data setting unit excluding the system data registration area, said storage unit, and the selection item selection unit are arranged on the side of a system data registration terminal removeably arranged on said main body portion*). Therefore, Launey anticipates all limitations of the claim.

#### ***Allowable Subject Matter***

Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 8 is limited to *the multi-functional telephone apparatus as defined in claim 7*, as covered by Launey. While Launey suggests controlling the central processor using the telephone connection, see column 14, line 63 through column 15, line 1, there is no suggestion to include synchronized memories between the central processor and each of the home devices. In particular, Launey only suggests using the central processor as an input means to each device, but doesn't include programming particular to each device. Therefore, Launey anticipates all limitations of the claim with the exception *wherein said system data registration terminal has an area for storage of the same data as the system data registered in the system data registration area, and when system data newly set or changed is routed to the system data registration area, a*

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*difference thereof from data already registered in said system data registration area is determined and the resulting difference data is sent to said main body portion.* Thus, claim 8 is allowable over Launey.

### ***Response to Arguments***

Applicant's arguments with respect to claims 2 and 6-8, filed 27 August 2004, have been considered but are moot in view of the new ground(s) of rejection.

With respect to claim 2, limitations directed to *a list of* either "system data" or "*a plurality of groups*" suggests that each table may only comprise a subset of all *system data*.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F Briney III whose telephone number is 703-305-0347. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFB  
11/22/04

  
XU MEI  
PRIMARY EXAMINER